

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15CR00068
)	
Plaintiff,)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
GILBERT MENDEZ,)	<u>GOVERNMENT'S OPPOSITION TO</u>
)	<u>MOTION TO TRAVEL</u>
Defendant.)	

Now comes the United States of America, by and through United States Attorney Justin E. Herdman, and Assistant United States Attorney, Michelle M. Baeppler and hereby opposes Defendant's Request to Travel. The reason for this opposition is that defendant absconded from the jurisdiction in Case Number 1:04CR548 by failing to appear for a supervised release violation on April 16, 2014. (R. 47, 1:04CR548) As a result of his failure to appear, a capias was issued for his arrest. (Id.)

Defendant's flight on Case Number 1:04CR548 was precipitated by his knowledge of an impending indictment in the instant matter. Defendant fled the United States and was arrested in Mexico, approximately a year and a half later. After being returned the United States he was ordered detained.

Defendant now awaits trial in this case on a drug Conspiracy charge and multiple substantive Trafficking in Cocaine charges for his role in a cocaine trafficking ring that was responsible for importing and distributing kilograms of cocaine. If convicted, he faces a mandatory minimum of ten years imprisonment. Defendant is also subject to statutory penalty enhancements, that when filed, subject him to a mandatory term of incarceration of 20 years (filing of one enhancement) and a mandatory term of life incarceration (filing of two enhancements).

In light of defendant's previous flight, and the significant term of imprisonment he faces, the government submits that he is a substantial flight risk and as such should remain detained pending trial. Thus, the government opposes defendant's motion to travel.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By: /s/ Michelle M. Baeppler
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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of October 2017 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Gilbert Mendez, *pro se*, #02867-061 was served by regular U.S. Mail at NEOCC, 2240 Hubbard Road, Youngstown, OH 44505. Parties may access this filing through the Court's system.

/s/ Michelle M. Baeppler

Michelle M. Baeppler
Assistant U.S. Attorney